

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q90259

Masayuki SAKATA

Appln. No.: 10/553,192

Group Art Unit: 2617

Confirmation No.: 2211

Examiner: Marcos BATISTA

Filed: October 13, 2005

For: MOBILE COMMUNICATION SYSTEM, RADIO BASE STATION CONTAINING
CONTROL DEVICE IN THE MOBILE COMMUNICATION SYSTEM AND
CONTROL METHOD THEREOF

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the interview conducted on
June 17, 2009 with Examiner Batista and SPE Perez-Gutierrez:

REMARKS

Applicant sincerely appreciated the opportunity to discuss the rejections of the claims
over WO02128130 to Fiter.

During the interview, the following was discussed:

1. Identification of claims discussed: claims 52, 53, and 55
2. Regarding claim 52, Fiter does not teach or suggest "the control plane equipment controls the transfer of signaling between a core network and the mobile terminal unit so that the signaling is not transferred through the user plane equipment."
3. Regarding claim 53, Fiter does not teach or suggest "a second radio controller which controls a second radio base station, ... wherein the mobile terminal unit is handed over from the

first radio base station to the second radio base station, without establishing a path between the first radio controller and the second radio controller and wherein the second control plane equipment performs control independent of the radio transmission scheme and second user plane equipment performs control dependent on the radio transmission scheme between the first network and the mobile terminal after a handover.”

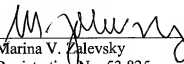
4. Regarding claim 55, no formal translation of WO02128130 was provided. The cites referred to by the Examiner in WO02128130 do not correspond to US 2004/0053627 to Fiter and do not describe “wherein the user plane equipment is incorporated into the radio base station.”

5. Results of Interview: Examiner Batista will review Fiter and reconsider. If Fiter is applicable, Examiner Batista will provide a translation of WO02128130 with exact citations.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,


Marina V. Zalevsky
Registration No. 53,825

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: June 18, 2009